Secret. II-27—37,894—18-11-45.

P.W (194) Department.

M.S SERIES.

G.O. No. 753

753

Dated 18 3 1947

Mozc

[Despatch Abstract.]

3 4

I

Ref:(No.12704 (Special)

South Kanara Collector's Offi
Mangalore, dated 10-11-1.

From Sri Rao Bahadur P. Ramadoss, B.A.,
Collector of South Kanara.

To The Port Officer, Mangalore/Collector of Customs, Mangalore. Municipal Commissioner, Mangalore/ Officer-in-charge of the Fire Serivce, Mangalore/Sub-Divisional Officer, Public Works Department, Mangalore/Dt. Supdt. of Police, Mangalore/President, SKCCW, Stores, Ltd., Mangalore/Inspector of Excise, Mangalore/Dt. Medical Officer, Mangalore.

Sir,

LAND - Mangalore town - T.S. No.212 of casba bazaar village - Portion requisitioned for the purpose of a subsidiary fuelling base - Disposal - Suggestions - Requested.

A portion of T.S. No.212 of Casba bazaar village, Mangalore town, in the South Reclamation area of the Port of Mangalore was requisitioned for the purpose of a subsidiary fuelling base. The site has been enclosed with barbed wire fencing and it contains two big tiled buildings one building of medium dimensions and three small ones. Besides these, there are a car shed and a guard shed also

B

The Military authorities inform me that the installation is no longer required for defence purposes. I therefore request you to intimate to me within a week whether the buildings are required for any of your purposes.

C

(By order)

Sd/- x x
14-11-45.
Huzur Sheristedar.

No.3085/45-1 dated 17th November 1945.

Copy submitted to the Presidency Port Officer, Madras for orders.

A plot of land 42,715 sq.ft..in area in T.S. No.212 of Casba bazaar village in the South reclamation area was requisitioned by the Collector of South Kanara under Rule 75-A(1) of the Defence of India Rules and placed at the disposal of the Royal Indian Navy, War Department on 16-12-1942 at a nominal rent of Re.1/- per annum. G.O. No. Ms.943 dated 4-6-1943 communicated with your 1418 G1/43-1 dated 8-6-1943 referred.

M

(I)

There are two cargo sheds available at this port which are considered sufficient for the puposes of the port at present. The Mangalore Landing and Shipping Fund is also not in a position to be able to pay for these buildings. If approved the Dt. Collector will be informed that the Naval buildings are not required by this department but being in the port area they should be disposed off only to parties who would use them for marine purposes, and the attention of the prospective occupants should also be drawn to the fact that rent amounting to Rs.2563/- plus cess Rs.400-8-0 per annum will have to be paid by them. Should nobody be willing to take over the buildings, this department will have no objection to take over the two big sheds if they can be made available at a very nominal cost. In such case the sheds will be used as auxiliary cargo sheds and the rent collected will it is hoped cover the cost of maintenance and ground rent.

Sd/- M.L. ADVANI,
Port Officer, Mangalore.

II

No.3085/45-2 dated 23rd November 1945.

From The Port Officer, Mangalore.
To The Presidency Port Officer, Madras.

I above

Ref: Subsidiary fuelling base on South wharf - Buildings disposal of - This office endorsement No.3085/45-1 dated 17-11-1945.

(P.T.O.)

Submitted.

Views of the Port Conservancy Board obtained in Resolution No.XI dated 23-11-1945 on Ref. C. No.12704 (Special) dated 10-11-1945 from the Collector of South Kanara in respect of disposal of buildings at the Naval Subsidiary Fuelling base at the South Reclamation area with the Port Officer's note to the Board on the subject is herewith forwarded in continuation of this office endorsement No.3085/45-1 dated 17-11-1945 for information.

V.L. ADYANI,
Port Officer.

....

Copy of resolution No.XI of the Port Conservancy Board, Mangalore, dated 23-11-1945.

Read Ref: C.No.12704-45 (Special) dated 10-11-1945 from the Collector of South Kanara requesting suggestions for the disposal of buildings at the Naval Subsidiary fuelling base at the South reclamation area.

Read Port Officer's note dated 21-11-1945.

"The Board considers that the sheds are not required for the purposes of the Port and the Collector may be requested to dispose them off to any party who may be willing to use them for marine purposes only on the understanding that usual ground rent will have to be paid. Should no body be willing to take over the buildings they may be taken over for the purposes of the Port if they are offered at a very nominal cost."

III

Letter L.Dis. 12704-45, dated 14-12-1945 from the Collector of South Kanara to the D.A.D. Lands and Hirings Service, H.Q., 163 L of C. Sub area, C/o 19 A.B.P.O., dated 14-12-1945.

....

LANDS AND BUILDINGS - T.S. No.212 of Cosba Bazaar village - Mangalore Town- requisitioned for the purpose of a subsidiary base - disposal.

Ref: (1) Your No.M.A.D. 4539/11/55 dated 15-10-45.
(2) This office C.No.12704-45 dated 30-11-45.

....

The Port Officer, Mangalore and the Asst. Collector, Central Excise, Calicut are of opinion that the buildings constructed by the Military on T.S. No.212 of Cosba Bazaar village, Mangalore town, would be of use to their departments. They are considering the question of taking over the buildings in consultation with their departmental officers. The President, South Kanara Central Co-operative Wholesale Stores, Ltd., Mangalore also informs me that he is in need of the buildings for storing food grains. He requests that the building may be made over to the stores on terms to be settled by negotiation.

I, therefore, request you to arrange for the disposal of the buildings as early as possible or to restore possession of the land to the original owner, if possible.

Copy to the Port Officer, Mangalore, Asst. Collector, Central Excise, Calicut and the President, South Kanara Central Co-operative Whole sale Stores Ltd., Mangalore for information.

They may, if necessary contact the D.A.D. Lands and Hirings Services, regarding the Disposal of the buildings.

Sd/- x x
Huzur Sheristadar.
18-12-45.

.....

No. 3085/45-7, dated 20th December 1945.

Copy with a copy of this office No.3085/45-5 dated 6-12-1945 to the Collector of South Kanara, Mangalore submitted to the Presidency Port Officer, Madras in continuation of this office No.3085/45-4 dated

(CONTD.)

/45-4, dated 29-11-1945 for favour of early orders.

M.L. ADVANI,
Port Officer.

Copy of letter No.3085/45-5 dated 6-12-1945 from the Port Officer, to the Collector of South Kanara, Mangalore.

....

LAND - Mangalore Town - T.S. No.212 of Casba Bazaar village - portion requisitioned for the purpose of a subsidiary fuelling base - disposal - suggestions - requested.
Ref: Your C.No.12704/45 (Special) dated 4-12-1945.

....

The Matter has been referred to Presidency Port Officer, Madras and reply will be sent as soon as necessary orders are received.

IV

No. 3085/45-12, dated 31st December 1945.

From The Port Officer, Mangalore.
To Major, D.A.D. L.&H. Services,
HQ. 163 L of C Sub Area,
A.B.P.O., No.19.

Mangalore Port - Naval fuelling Base.

I have the honour to state that the area occupied by the Naval Fuelling Base, Mangalore with buildings, furnitures and fittings has this day been handed over to Mr. D.David, Surveyor of your Department.

The land in question was requisitioned by the Collector of South Kanara vide his No. C.No.12704/45/Special, dated 10-11-1945 under the Defence of India Rules for the use of the Royal Indian Navy. The naval fuelling base having now been closed it is understood that the area is proposed to be tempotarily leased to S.K.C.C. Stores Ltd., Mangalore with effect from 1-1-1946 for use as food grains godown. As the Port land is to be used for commercial purposes, you are liable to pay ground rent at the scheduled rate of rent viz.Rs.6/- per 100 sq.ft. or part thereof per annum or part thereof, plus revenue cess at 2½ annas for every Rupee rent levied. In addition to this a sum of Rs.10/- per annum is payable for the jetty. Particulars of the amount due from you are enclosed and it is requested that early action may please be taken to pay the amount due to this office so that necessary licence may be drawn in your favour.

M.L. ADVANI,
Port Officer.

Copy forwarded to Naval Officer-in-Charge, Cochin.
Copy to the Collector of South Kanara with reference to his D.O. dated 31-12-1945.
Copy to the Secretary to S.K.C.C.W. Stores, Mangalore.
Copy submitted to the Presidency Port Officer, Madras in continuation of this office No.3085/45-7 dated 28-11-1945. The buildings are being temporarily taken over by the S.K.C.C.W. Stores Ltd., for the purpose of storing food grains for export to Malabar. It is understood that the occupation may last for about six months.

V

No.3085/45-20, dated 27th June 1946.

From M.L. Advani, Port Officer, Mangalore.
To Capt. Gerlach, L.H. & D. Service, H.Q. COIMBATORE S/A.,
Race Course Road, COIMBATORE.

....

With reference to our interview dated 24-6-1946 it is confirmed that should your department wish to transfer the improvements on

(P.T.O.)

used for Commercial purposes.

3. In his reply No. MAD/4539 dated 13-7-1946 from D.A.D., L. & L.H. & D. Services copy of which has been submitted to you it is stated that the leasing of the two Naval Godowns at Mangalore to the S.K.C.C.W. Stores Ltd., has been ordered by the Industrial Advisor to the Government of Madras to be regarded as a Government project.

4. As the land on which the sheds under reference stand belong to this department ground rent at schedule rate is to be recovered from the occupants from the date the buildings ceased to be used for defence purposes viz. 1-1-1946.

5. If approved the Industrial advisor to the Government of Madras may please addressed to issue necessary instructions to the occupants for payment of ground rent to this office with effect from 1-1-1946. A bill for Rs.2993-2-0 in this connection is submitted.

M.L. ADVANI,
Port Officer.

.....

Bill.

Rent at Rs.6/- per 100 sq.ft. or part thereof per annum or part thereof on 42925 sq.ft. or (43000 sq.ft.) as per plan.	Rs.2580-0-0
Revenue cess on Rs.2580 at annas 2½	403-2-0
Rent on the jetty per annum	10-0-0
Total:	2993-2-0

Rupees two thousand nine hundred and ninety three

(P.T.O.)

B&A/II Received on 1.XI. for typing Issue engd. 29/10/46 30.X.

Dev. Dept.

Memo No. 69596-J.A/46-2 dt 29.10.46.

29/10

Ports - Mangalore - Land leased to S. Kanara Central Co-operative Wholesale Stores Ltd. - Mangalore - Levy of Rent.

p/cf — From the P.P.O. Madras, No. 65 gk/46-7 dt 4/9/46

p/cf — A copy of the letter from the P.P.O Madras cited above is forwarded to the Board of Rev (C.S) for remarks. The Bd. is also requested to submit the relevant records (in orig.) on the subject including that containing the Food Dept. Memo No. 578 A II/46-3 dt 10-4-46.

4/11

To copy on p 3 (K) the Bd. of Rev (C.S) (with enclosures)

Ken 26/10/46

Pl. issue
2.12.16

3/12

Rev Dept

Memo No. 69596-J.A1/16-3 dt 3-12-16.

Ports - Mangalore - Land leased to S. Kanara Central Co-operative Wholesale Stores Ltd. - Mangalore - Levy of rent.

p. 9 y

Ref Govt. Memo No 69596 J A1/16-2 (Rev) dt 29/11/16.

The Board of Rev (CS) is requested to expedite its reply to the Govt. Memo cited

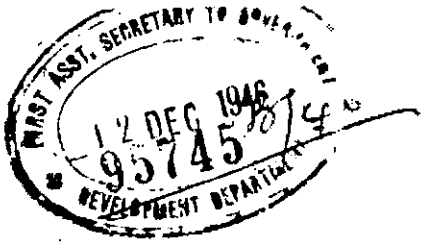
4/12

To the Bd. of Rev (CS)

30/11/16

2/12/16

BOARD OF REVENUE (CIVIL SUPPLIES)



S U B J E C T.

PORTS--Mangalore--Land leased to South Kanara Central Co-operative Wholesale Stores Ltd--Mangalore--levy of rent.

- - - -

BOARD OF REVENUE
(CIVIL SUPPLIES)
Subject.

15

96827

Ports--Mangalore--Land leased to South Kanara Central Co-operative wholesale Stores Ltd--Mangalore--Levy of rent.

****

Board's Ref.Z1.2839/46,CS,-
Dated 13th December 1946.

From

A.R.C.Westlake Esq., C.I.E., I.C.S.,
Commissioner of Civil Supplies,Madras.

P.Crombie Esq.,I.C.S.,
Deputy Commissioner (Movements),
Board of Revenue (CS),Chepauk,Madras.

Ref:-Government Memo 69596-1A/46 Development Department,Dated 3/12/46

The Board submits that the Collector of South Kanara has been addressed in the matter and a reply will be sent on receipt of the report from the Collector. The Collector has been reminded.

R. Rangachari
14.12.46

for DEPUTY COMMISSIONER(MOVEMENTS).

To

The Secretary to Government, Development Department,Madras.

Copy to the Collector of South Kanara,Mangalore. He is requested to submit the report called for in Bd's Ref.Z1-2839/46, dated 11-11-1946.

MN/13-12.

not received

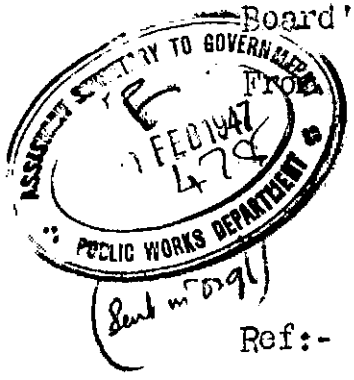
17

Board of Revenue (Civil Supplies).

Subject.

PORTS - Mangalore - Land leased to South Kanara Central Co-operative Wholesale Stores Ltd. Mangalore - Levy of rent.

Board's Ref.Z-1.6339/47-2. Dated 30th January, 1947.



From

C.H. Masterman, Esq., CSI., CIE., ICS.,
Commissioner of Civil Supplies.

B.W. Day, Esq., O.B.E., I.C.S.,
Deputy Commissioner of Civil Supplies (General).

Ref:- Government Reminder No.69596-1A/46 P.W. dated 15-1-1947.

Board's reply was submitted to Government Development Department through the Secretary to Government, Food Department, in Board's Ref.Z-1. 2839/46-5 dated 14-1-47 (copy enclosed). The reference was addressed to the Development Department as the original Government Memo.No.69596-1A/46-2 dated 29-10-46 issued from that Department.

31.1.47

~~for~~ Deputy Commissioner of Civil Supplies (General).

To
The Secretary to Government,
Public Works Department, Fort St. George,
Madras. (with enclosure.)

31.1.47

p.t.o.

18

Copy to The Secretary to Government,
Food Department, Fort St. George, Madras.

KR/50-1.

Original 21 pages

Copy of Board's L.Dis.2839/Z-1-46-5 (CS) dated 14-1-1947. to The Secretary to Government, Development Department, Madras.

Sub:- Ports - Mangalore - Buildings at the Naval fuelling base Land leased to the South Kanara Central Co-operative Stores Ltd. Mangalore - Levy of rent.

Ref:- Government Memo No.69596-1A/46-2 Development Department dated 29-10-46.

4 pages

The Board considers that the South Kanara Wholesale Co-operative Stores ought to be charged ground rent though in the past a slightly different view was taken. vide Government Memo No.578 Vii/46-3 Food dated 10-11-46. A copy of letter No.12021-46 AS dated 19-12-46 from the Collector of South Kanara together with the records received from him are enclosed. The records may be returned to the Collector of South Kanara when no longer required.

B3

B2

.....

/True copy/

To The Secretary to Government, Development Department, Madras.
Through the Secretary to Government, Food Department, Madras.
Copy to the Collector of South Kanara.

KP/30-1.

Board of Revenue (Civil Supplies).

Subject:-- Ports - Mangalore - Buildings at the New Quelling land leased to the South Kanara Central Co-operative Stores, Ltd., Mangalore - levy of rent.

ASSISTANT SECRETARY
20 JAN 1947
FOOD DEPARTMENT

Reference No.L.Dis.2839/Z1/46-5 (CS) dated 14th January 1947.

From

A.R.C.Westlake, Esq., C.S.I., C.I.E., I.C.S.,
Commissioner of Civil Supplies.

J.Pare, Esq., I.C.S.,
Assistant Commissioner of Civil Supplies (Movements).

Reference:-- Government memo no.69596 1A/46-2 Dev.Dept- dated 29/10/1946.

The Board considers that the South Kanara Wholesale Co-operative Stores ought to be charged ground rent though in the past a slightly different view was taken-vide Government memo No.578-UII/46-3(Food) dated 10/4/1946. A copy of letter No.12031-46A8 dated 19/12/46 from the Collector of South Kanara together with the records received from him are enclosed. The records may be returned to the Collector of South Kanara when no longer required.

Assistant Commissioner
(Movements).

TO:-

The Secretary to Government, Development, Madras.
through the Secretary to Government, Food Department.

23 P.W. Deptt.

Subt: Portn. Mangalore.. land leased to South Kanara Central Co-operative Wholesale Stores Ltd. Levy of rent. Ordered

Read also: from the G.O.P.C. No. 605 G1/46-7 dt. 14-9-1946
Memo to the Bd of Rev. (CS) No. 6959/46 I.A./46-2 Dev. dt. 29-10-1946

from the Board of Rev. (CS) No. Z.1. 2539/46-5 dt. 14-1-1947.

ORDER 753 dated 18-3-1947

Ms

It is the Governor hereby directed that the ground rent at the Port schedule of rates should be recovered from the South Kanara Central Co-operative Wholesale Stores Ltd. for the period of occupation of the Port land in the South Reclamation area at the Port of.

24

Mangalore from 1.-1-1946

B/17.2.47 Q/2261/47.

Q/2524/7

Encl: as above

2 The P. [illegible] Cir. ✓ Farm Phys. Chem. Asstt. Chief Asstt. Coll. of S. Kv. (with endorsement) ✓

Q/2613. Bd. of Res. (Cs.)

Copy to Food Deptt.

REQUISITION FOR RECORDS.

Madras Government Secretariat — Department — Section — Record Issue No. — Date

To
The Curator, Madras Record Office, Egmore.
The Superintendent, Central Record Branch, Fort St. George
The Librarian, Secretariat Library, Fort St. George.

The following records are required :—

Serial number. (1)	Nature of record (G.O. (Ordinary or Routine), Memorandum, Endorsement, Demi-official, Lodged papers, etc.). (2)	Number. (3)	Department. (4)	Date. (5)	Whether Original (O), Sp. copy (S.C.), or Sp. copy with Notes (S.C.N.) (6)	PURPOSE. Current number. (7)	PURPOSE. Year. (8)	If not furnished, reasons. (9)

Date

Signature
Designation

ACKNOWLEDGMENT.

Signature

Received the abovementioned records except items

Designation

[G.No 4615 F/46] P.W.Deptt

Sub: Ports - Mangalore - Land leased to South Kanara Central Co-operative Wholesale Store Ltd Mangalore - Levy of rent -

Ref: From the P.P.O. No: 65 Cl/46-T dt. 4.9.1946

To: A.E.

A mp 1 + D mp 4 & 4b-13 dr

1. A portion of T.S. No. 212 of Castle bazaar village Mangalore town in the South reclamation area at the Port of Mangalore land & property of the Mangalore Landing and Shipping Fund was requisitioned by the Collector of South Kanara under Rule 75 A of the Defence of India Rules for the purpose of a sea-plane Naval base and placed at the disposal of the Naval Department on 16.12.1942. The site has been

B mp 3 CF

enclosed with barbed wire fencing and it contains two big wooden sheds: one shed of medium dimensions and three small ones. One cart shed and a guard shed.

C mp 3 CF

As the military authorities have informed the Coll. of S. Kanara that the installation is no longer required by them for defence purposes, the Collector has taken action to hand over the buildings. ~~The Co~~

D mp 4 CF

2. The ~~Landing~~ Port Conservancy Board, Mangalore considered that the ~~land~~ sheds were not required for the purpose of the Port and that they might be disposed of to any party who would use them for marine purposes only ~~and~~ on the understanding that the party with whom to pay the usual ground rent. The buildings were handed over to the South Kanara Central Co-operative Wholesale Stores Ltd. Mangalore with effect from 1st January 1946. Ground rent at the scheduled rate amounting to Rs. 2993-12-0 were claimed by the Port Officer Mangalore from D.A.D. & E.H. from the date the buildings were used for commercial purposes.

E mp 1 & 2 CF

F mp 6-7 CF

But the D.A.D. & E.H. Service Headquarters Coimbatore has replied that the Industrial Adviser to the Govt. has given a ruling that the leasing of the buildings to the S.K.C.C. Wholesale Store Ltd. should be

regarded as a Govt. project and that the claim for ground rent cannot be entertained."

3. The P.P.C states that the S.K.C.C. Wholesale Store Ltd. is not a department of the Govt. as contemplated in para 88(b) of the Madras Port Manual and is therefore not eligible for rent free occupation of lands. He therefore requests the orders of the Govt. for the recovery of ground rent from the Concern amounting to Rs. 2993 2.0/.

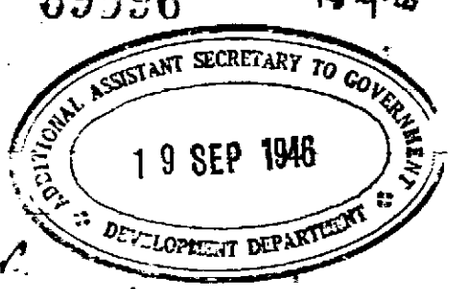
4. It ~~is submitted that the question of disposal of~~ ~~buildings in question was taken up in Public and~~ it is ~~understood that the matter is placed before the~~ Committee ~~for the disposal of the military buildings~~. The circumstances under which the Industrial Adviser has given a ruling that the lease to the Cooperative Concern should be regarded as a Govt. project are not known. The file may be sent to ~~Pub (Genl) and~~ Industrial Adviser for remarks in the first instance.

7/9/46 13/9/46 Dev. (P.A.) may kindly be requested to put up any papers relating among them on the subject

17.9.46 Dev. (I.A.)

P. to Dev. No. 4615 F/46-1 18-9-46

69596



D.A.

The papers on this subject have been put up by Pub. in their file Cdt. 436 Pub(S1)/46. As desired by Pub. D. Hemp SE Dept. The file is sent with D.A.

This file is submitted ~~to~~ w.r.t. 'N' above

23/9/46 23/9/46

Accordingly the main file is sent with the Public

19/9/46

S.A. With reference to S.A's notes on p2 above, it is submitted that it has been ascertained from the Pub & Depl. that the main file regarding the is not with them. Attention was in this connection invited to the Food Depl's D.O. No. 538-U.II/46-3 dt. 4/46. Whether the storage by the South Kanara Central Co-operative Wholesale Stores might be treated as a Govt. project seems to be a decision taken by the Govt. The Food Depl may be requested to put up the relevant papers on the subject.

23255

Dew no 69 S&G 22/46 12.10.46

14 Oct 46

ASSISTANT SECRETARY 15 OCT 1946 FOOD DEPARTMENT

To S.: Note from page 1 above may be sent.

Above:-

It is submitted that from p.3 of flag (K) it would appear that D.O. No. 538-U.II/46-3 dt. 10.4.46 was issued from the Food Depl at the time when the Food Depl and the Rly Board were working on an anticipatory limit of Cs 10 lakhs for the Food Depl. Subsequently a separate Demand in D.F. does not appear to have been made. The file Reg. D.O. No. 538-U.II/46 in the Food Depl was destroyed/weeded out from the Rly Board's records in the normal course. The papers in the matter which came to notice in the Secretariat are now submitted for orders.

Ag. Secy. 16/10/46

Mr. B. Sachin

16/X/46

16/X/46 Dy

16/X/46 Dy

17/10/46 Dew.

Dew. Depl.

Fo d.d. no. 23255/S&G/46

17.X.46.

S.A

Please see the remarks

FIRST ASST. SECRETARY TO GOVERNMENT 18 OCT 1946 DEVELOPMENT DEPARTMENT 7864

4

of the Food Dept. onp 3 above. A copy of the letter from the P.T.O. objecting may be forwarded to the Bd of Rev (C.S) for remarks. The Board may also be asked to send the relevant records papers on the subject. Subject to orders, a draft memo to the Bd. of Rev (CS) is submitted for approval.

Hkn
26/10/46.

Issued as memo No 69596 Pt/46-2 of 29.10.46 to the Bd

~~Issued as memo No~~

From the Bd of Rev (C.S), Ref. No 21-2839-46-3 of 6/12/46

A.S. (P.M)

The Food Dept. may be requested to put up the ~~file~~ ~~record~~ Papers referred to 'A' by the Bd of Rev (C.S.) at 'A' onp 13 cg.

Hkn
13/12/46.

Food
14/12/46.

To A.S

Dev. No 69596 Pt/46-4

ASSISTANT SECRETARY
16 DEC 1946
FOOD DEPARTMENT

This Dept. previous notes on p.3 above and Dev notes above may be perused. W.r.t 'H' above attention is invited to the notes in the L.F. below. This file may therefore be returned to the Bd of Rev (C.S.) when the final orders are passed in this file or till 28/12/46 whichever is earlier.

16/12/46

x t.f. removed.
15/12/46

Id
16/12/46

x no need to ask the Bd again as it has already stated that the file has been sent to this Dept. ~~& returned~~. Dev may be informed that the file is missing & that they need not delay taking action in this file.

FIRST ASSTT. SECRETARY 19 DEC 1946
98129
DEVELOPMENT DEPARTMENT

Food.No. Pt/46-3
19.12.46

19/12/46

Dev.

Dev (7A)

Hs.

Please see the remarks of the Food Dept on p 4 above.

N. on p 2 above. Attention is invited to the Food Dept Memo No. 578 U.II/46-39 10/46 on p 3 (K). That the storage by the S. Kanara Central Co-operative Wholesale Stores might be treated as a Govt. project, seems to be a decision taken by the Govt. With these remarks, the file may be returned to the P.W.D.

(✓ Copy)

(D)

B' on p 3 (K)

2. With reference to the B's reference on p 1 (C), it is submitted that the further reply from the B's may be sent to the P.W.D. on its receipt.

Hs 20/12/46. Sd 20/12/46. DS

Dev. No. 69596 7A/46-5
20. 12. 46.
5873
F

P.W. Deptt.

Sd H.S.

[The Dept's powers vide pp 1-2 ante]

The note pp Dev. (1A) from above may be perused. The Board's reply to the memo on p 9 (C) may be awaited till 15-1-1947.

B 23.12.46. Sd 24/12/46 Sd 26/12/46

94 Finance Bd Dev (C5) No. Z.1.6339/47.2 dt. 30.1.1947

Food Dept
D.

Subs:-

Ports- Mangalore- lands and Buildings leased to the South Kanara Central Co-op Wholesale Stores - Levy of rent - Proposal.

Ref:-

(1) Issued as Govt Memo: 578/III/46-3 dated 10.4.46

(2) From the Bd of Revenue (Es) no: 2839/21/46-5 dated 14.1.47.

Copy at p39 flag (I)

page 1 of

To A.S.

The Correspondence cited may be perused.

2. As no previous papers on the subject referred to above are available in this Dept a brief Summary of the Case, based on the information available from the Records furnished by the Collr of South Kanara, is submitted herewith for the sake of Convenience.

vide flags (A) (B) (D) (E) & (F)

3. In the year 1945, the S.K. C.C.W. Stores was entrusted with the procurement and distribution of foodgrains in South Kanara Dist on Govt Account. As the Society was badly in need of Storage accomodation, the Military Authorities permitted the Stores to temporarily make use of their buildings situated in T.S. no. 312, Kasba Bazaar Village, Mangalore town. This site is the property of the Mangalore Port and was previously used by the Military as a Subsidiary Godowning base. The Stores took possession of the buildings and site on 21.12.1945.

vide Correspondence at flag (F) and bill at flag (B) and page 23 at flag (B)

flag (A)

4. As the site in question belongs to the Port Authorities the Govt had to pay ground rent. The Stores were the tenants for purposes of fixing the rent to be paid by the Society, the Govt

flag (H)

examined the question whether the Stores was to be treated as an ordinary Civil tenant acting as an agent of the Govt on a profit making basis and decided that the Storage by the Stores should be treated as a 'Govt project'. This decision was conveyed to the Collr of Sikkim in the Govt memo no: 578/2-Fin-346-38 dt 10.11.46 and he was instructed to formally hand over the Site to the Stores as the Govt representative. The lease of the Site by the Stores was since been extended till 1.1.1947.

The Port Authorities have now demanded ground rent from the Stores from 31.12.45. But by virtue of the statement made in the memo referred to above, viz that the "Storage by the Stores shd be treated as a Govt Project" the president of the Society holds the view that the occupation of the Site by the Stores should be on a rent-free basis because the Stores has been acting as and continues to be the Govt procurement and distributing agent. However, the Collr, for reasons stated by him in his letter dated 19.12.46 considers that it is but fair for the Society to be charged rent at the Port's Scheduled Rates. The Bd of Revenue agrees with the Collr. In this connection it is submitted that for the services rendered by the Society, the Govt wished to protect the Society from paying as high rental as any other Civilian tenant would have to pay for occupation of the Site. Presumably that was the reason why it was ordered that the Storage by the Stores was to be treated as a Govt project. While making such a statement it does not seem to be the intention of Govt to permit the Stores to occupy the Site rent free. Further Govt themselves pay rent for storage

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accommodation needed by them. The Society is getting notionally a profits making Concern and none from its business of its profits accrue to Govt. It is therefore for consideration whether this Dept will agree with the Bd of Revenue that ground-rent may be charged.

The subject was while it was being dealt with in Des until recently. It has since been transferred to PWD Dept. It is submitted that after orders are passed on 'M' above the case may be transferred to PWD for further action.

3/2/47

31.1.47. 31/1/47

M I agree. I presume that the ministry do not any longer want the building for naval purposes and authorities should get back the chance of earning the usual revenue on new storage accommodation. The C. Stores may pass on the expenditure to the consumer by raising the price: it is for the Govt to fix a reasonable rate taking into account the expenses the profits the Stores are making. The file may please be circulated to H.M. Food Mrs.

Food Dl. 2909/Def/46

F. 2.47

FEB 1947 AGRICULTURE PUBLIC WORKS DEPARTMENT TRENT

3/2/47

P. W. Deptt

5/2/47

8/2.47

Jo. H.S.H

The file relates to the levy of ground-rent on a patch of T.S. No. 215 of Casba Bazaar Village, Mangalore Town in the South Reclamation area at the Port of Mangalore. The land belongs to the Port Department and was requisitioned by the Collector of South Kanara for the purpose of a Naval

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Subsidiary Fuelling base and placed at the disposal of the Royal Indian Navy on 16-12-1942. The site has been enclosed with ~~vouched~~ barbed wire fencing ~~and~~ by the Navy and it contains two big tiled buildings, one building of medium dimensions and three small ones, with a car shed and guard shed. As the site was no longer required by the Naval authorities, it was handed over by them to the Collector of South Kanara ~~by them~~ and the Collector in turn handed it over to the South Kanara Central Co-operative wholesale stores Ltd. from 31-12-45 under instructions from the Government in the Food Department. The Port Officer, Mangalore had claimed from the D.A.D. and L & H Services a ground rent for the land in question according the Port Schedule of rates as the land was used for commercial purposes. He has in ~~him~~ them replied that the Industrial Adviser to Government of Madras had ~~it~~ given a ruling that the leasing of the two Naval Godowns at Mangalore to the South Kanara Central Co-operative Wholesale stores Ltd. should be regarded as for a Govt. project. The P.P.O. has reported that ground rent amounting to Rs. 2993-2-0 is payable by the S.K.C.C.W. Stores Ltd. for the occupation of Port land for one year from 1-1-46. He has pointed out that the S K.C.C.W. Stores Ltd. is not a department of the Govt. as contemplated in para 88(b) of the Port Manual and as such this concern is not eligible for rent free occupation of lands and has requested that orders might be issued for the recovery of the amount. The lease of the site has been extended for another year from 1-1-47 and the buildings have since been taken over by the Port Department on payment of a nominal cost of to the Military authorities.

2. The original papers relating to the decision at A above are not available and this Deptt. does not seem to have been consulted before the issue of these orders. The Collector of Mangalore who was consulted by the Board of Revenue (C.S.) on the P.P.O's proposals for the recovery of the ground rent considers for the reasons stated at N on p.3 of 'B' that the S.K.C.C.W. Stores Ltd. should pay the rent to the Port Dept. The Board of Revenue (C.S.) agrees with the views of the Collector of South Kanara through a slightly